



Use of Campaign Finance Contributions and Legal Fees

Section 130.034 RSMo, defines allowable uses of campaign finance contributions. For additional information related to payment of legal fees by a campaign finance committee, refer to [Advisory Opinions](#) issued by the Commission:

- [Adv Op 1997.11.107:](#) Defense costs in recall petition not “ordinary and necessary expense” and, therefore, not permitted use of contribution.
- [Adv Op 2008.04.CF.002:](#) As election contests and recount proceedings are by their very nature post-nomination and post-election proceedings, funds donated or expended solely for the purpose of influencing the outcome of post-election litigation do not fall within the definition of contributions and expenditures for the purposes of Chapter 130. These types of expenses may not be made from committee funds and donations made for these purposes should not be commingled with any committee funds.
- [Adv Op 2010.06.CF.01:](#) Legal fees incurred by a candidate to challenge an opponent’s qualifications in an election are not to be considered “ordinary” expenses incurred relating to a campaign pursuant to §130.034.2, RSMo.
- [Adv Op 2011.06.CF.004:](#) An unsuccessful candidate who has terminated a committee cannot form a debt service committee to pay a previously incurred debt. Candidate committee contributions may be used to pay legal fees in litigation challenging the Missouri Secretary of State’s disqualification of a candidate following the candidate’s failure to file a personal financial disclosure form as required by law.
- [Adv Op 2012.02.CF.001:](#) There is no provision in Chapter 130 which directly authorizes payment of state contributions to a legal defense fund which support the payment of legal fees for a federal candidate campaign committee. See also [Adv Op 1995.01.101](#).